

GOOD PRACTICES BROCHURE: Stateless Women and Girls



GENDER
IN HUMANITARIAN ACTION
Asia and the Pacific



OCHA United Nations Office
for the Coordination of
Humanitarian Affairs

This Good Practices Brochure was produced by the Asia-Pacific Gender in Humanitarian Action Working Group, co-chaired by UN Women, CARE International and the United Nations Office for the Coordination of Humanitarian Affairs (OCHA).

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Introduction

Millions of people are believed to be stateless – they are not considered as nationals of any country. The exact number of stateless people is unknown; however, according to statistics reported at the end of 2019, there are 4.1 million stateless people worldwide – over 50 per cent of them in Asia and the Pacific.¹ People become stateless for a variety of reasons; gaps or conflicting provisions in nationality law, discrimination against ethnic or religious groups, or lack of identity documentation over generations. It also occurs due to gender discrimination. Some 25 States do not allow women to transfer nationality to their children, and statelessness can occur where fathers are stateless, unknown, deceased, or where the laws of the fathers' country do not permit conferral of nationality.²

Stateless women and girls experience particular gender-related barriers, and the pandemic further exacerbated their vulnerability. Increased sexual and gender-based violence, including domestic and intimate partner violence, and unprecedented socioeconomic impacts have threatened their lives. Extra caregiving at home, often without personal protection equipment, school dropouts due to excess demands at home, increased forced marriage and early pregnancy are the major factors that threaten to reverse hard-won gains on gender equality.³ Collaboration among international and regional organizations, civil society organizations and stateless people is essential to resolve existing significant situations of statelessness and prevent new cases from emerging. Global action must support the full participation and leadership of refugee, displaced and stateless women in crisis response and recovery plans.

The Global Action Plan to End Statelessness, 2014–2024⁴ was developed in consultation with States, civil society and international organizations setting out a guiding framework made up of 10 Actions – one of which is to remove gender discrimination from nationality

1 <https://www.unhcr.org/globaltrends2019/>

2 <https://www.refworld.org/docid/604257d34.html>

3 <https://www.unhcr.org/news/press/2021/3/604524674/covid-19-pandemic-worsening-gender-inequalities-refugee-women-girls.html>

4 <https://www.unhcr.org/ibelong/global-action-plan-2014-2024/>

laws⁵. In November 2014, the #IBelong Campaign was launched to bring about global collaboration to end statelessness within 10 years.⁶ Also, it directly advances target 16.9 of the United Nations Sustainable Development Goals (SDGs): By 2030, provide legal identity for all, including birth registration. Ending statelessness also contributes to SDG targets related to gender equality, education, work and health, among others.⁷ The United Nations Secretary-General has provided guidance to the United Nations system on institutional arrangements to improve its coordinated response to statelessness.⁸

At the eightieth meeting of the Standing Committee of the Office of United Nations High Commissioner for Refugees (UNHCR) on 23–25 March 2021, the Asia Pacific Refugee Rights Network (APRRN), representing a wide range of non-governmental organizations (NGOs), delivered the NGO Statement on Asia and the Pacific.⁹ The statement urges UNHCR and States in the region to address the severe ongoing rights violations affecting refugees, especially women and girls. It also highlights that in order to sharpen the gender focus of a response, it is important to consider the multiple and intersecting forms of discrimination experienced by lesbian, gay, bisexual, transgender, intersex, queer and other (LGBTIQ+) people alongside those experienced by women and girls.

This brochure aims to provide practical guidance on including stateless women and girls in humanitarian programming and coordination by highlighting five case studies that illustrate good practices and examples in humanitarian settings. The NGO Statement on Asia and the Pacific emphasizes protecting and access rights for displaced and stateless women and girls and gender-diverse people. Their participation in the risk and impact assessments and COVID-19 response plan is essential to be inclusive and gender-responsive.

5 <https://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=54f8377d4&skip=0&query=Action%203:%20Removing%20Gender%20Discrimination%20from%20Nationality%20Laws>

6 <https://www.unhcr.org/ibelong/>

7 <https://www.refworld.org/pdfid/58b6e3364.pdf>

8 <https://www.refworld.org/docid/5c580e507.html>

9 <https://www.icvanetwork.org/ngo-statements-delivered-unhcr-standing-committee>

Statelessness reduction and community sensitization in Chiang Rai Province, Thailand



As of 31 December 2020, 480,549 people were registered with the Government of Thailand as stateless or at risk of statelessness. Among them, 50 per cent are women.

Life for second generation immigrants is not easy, particularly for those without Thai nationality but Chayapa overcame the odds. She obtained Thai nationality and is committed to helping others do the same.

Chayapa's family moved from China to Thailand in 1977, and she was born in Chiang Rai Province. From an early age, she worked hard to support her family and could not go to school. As a result, she was unable to read or write.

"Without a Thai identity card, you are unable to get a job. In addition, I didn't have knowledge of the Thai language, so I was only able to do manual labour work to earn a living," says Chayapa.

One day, she learned that the Adventist Development and Relief Agency (ADRA) was looking for volunteers for its statelessness project. She applied and became a volunteer. During her volunteer work, senior colleagues of ADRA encouraged her to study in the Non-Formal Education programme offered by the Government to learn computer literacy and writing.

With joy, Chayapa says, "From not being able to write at all, I can now write and also use a computer."

From there, she worked on obtaining Thai nationality. She submitted a request for her birth certificate and eventually prepared her own application for nationality. "Support from ADRA gave me confidence to process the application."

"I only ever dreamed of obtaining Thai nationality, and my dream came true. I'd never thought in my whole life that I would have been able to have Thai nationality like my friends in the village, despite being born in Thailand. I had no idea that people born in Thailand could even apply. In the past, due to my lack of knowledge about the legal process, I just followed whatever people advised me to do in order to obtain any kind of identity card."

Since 2015, ADRA in partnership with UNHCR has been implementing the Statelessness Reduction and Community Sensitization (CSP) project to help resolve the situation of statelessness in Thailand. The project aims to provide legal support and assist stateless people in preparing nationality applications, coordinate and provide technical support for local registrars in processing nationality applications and advocate for wider access to nationality and basic rights.

An assessment carried out by UNHCR revealed that people living in remote areas faced numerous challenges to access to Thai nationality application procedures, including the distance from district administrations and lack of awareness in communities. UNHCR discovered that collaboration with central and local authorities as well as NGO networks and stateless communities was crucial in supporting and accelerating the processing of applications and related civil status documentation. It was also crucial to engage communities in order to enhance their awareness.

The CSP project targeted areas with high prevalence of statelessness. In 2015, ADRA initially opened service points in five schools in Mae Fah Luang District in northern Thailand, enabling stateless students to obtain relevant information and prepare their applications for civil status documentation, permanent residency and nationality. With the success of this model, the project was extended to two other districts in the following years. The service points were then expanded to include community areas to enable easy access for stateless people.

As of now, CSP operates 10 service points that coordinate with 90 schools and 45 community areas in three districts of Chiang Rai; Mae Fah Luang, Mae Chan and Mae Sai. Each service point has one community mobilizer and one community volunteer to provide legal counselling and assist stateless people in checking documents and filling nationality applications. The project has also engaged community leaders, NGO networks and local authorities for policy advocacy and capacity-building activities on legislations related to nationality and civil registration.

Now serving as a community volunteer for CSP, Chayapa continues to serve her community in Chiang Rai Province and help stateless people obtain Thai nationality.

Reference: <https://adrathailand.org/impact/stateless-reduction/>

Preventing a silent crisis for Rohingya women and girls during COVID-19 pandemic



The Rohingya refugees¹⁰ living in Cox's Bazar refugee camps in Bangladesh and Bangladeshi families living near the settlement are just as worried about the impact of the COVID-19 pandemic as other people around the world. The camps are home to some 850,000 Rohingya refugees displaced from neighbouring Myanmar. They worry that the health system in an already poor area will be unable to cope with a rapidly spreading virus. The United Nations Children's Fund (UNICEF) is supporting interventions in Cox's Bazar District to aid Rohingya and Bangladeshi families.

While the nationwide lockdown in Bangladesh, which began in March, is bringing an all-too-familiar economic shock to already impoverished communities, the requirement to stay home is causing anxiety for some refugees that has little to do with COVID-19 itself.

With the lockdown, UNICEF anticipated an increase in gender-based violence (GBV), especially intimate partner violence, sexual exploitation and other abuse of women and girls. GBV had the potential to become a silent crisis.

The vast majority of all reports of GBV in the Rohingya refugee camps in 2019 were made by women, and the incidents generally occurred inside the home of either the survivor or the perpetrator. In either case, other family members were typically present in the home, which points to another layer of threat: the psychological impact on children and adolescents who witness the violence.

To meet the need for protection and services, UNICEF supports 15 Safe Spaces for Women and Girls in Cox's Bazar District to provide group counselling, skills training, literacy sessions, psychosocial support and case management. The services are available for Rohingya and Bangladeshi women and girls who are vulnerable to and/or are survivors of GBV, trafficking, child marriage and other harmful practices. But the nationwide lockdown, and the closure of 'non-essential' services, meant the safe spaces had to be temporarily shuttered – they could not operate the way they used to.

¹⁰ About 1.6 million Rohingya, a minority group from Myanmar, have been forcibly displaced across Asia and the Pacific region as of mid-2020. Myanmar's discriminatory citizenship laws have stripped nearly all Rohingya of their citizenship, making them the largest identified stateless community in the world. UNHCR has registered almost one million Rohingya refugees and asylum-seekers, mainly in Bangladesh (860,000), Malaysia (101,000) and India (18,000), as well as smaller numbers in Indonesia, Nepal, Thailand, and other countries. An estimated 600,000 Rohingya continue to remain in Rakhine State, Myanmar, of whom 142,000 are internally displaced.



Despite the national lockdown, case management, psychosocial support and referrals for health and safety services remain available to assist those women and girls in need of support. “People are afraid because they fear services and care will stop. But we are still here,” says Shumi, who manages a safe space in one of the Cox’s Bazar camps. “It helps a lot.”

At the centre where Shumi works, five female volunteers and five members of the centre’s women’s leadership group conduct regular house visits in the nearby community. During the visits, the volunteers share information on protective measures to prevent the spread of COVID-19 while respecting physical distancing guidelines.

But the door-to-door visits are about more than COVID-19 – volunteers also raise awareness about GBV response services and how survivors can access these services. Information disclosed to volunteers is passed safely to a case manager for appropriate follow-up to ensure survivors of abuse get the support they need.

“We try to share as much information as possible with the community,” Shumi says.

Gertrude Mubiru, a GBV Specialist with UNICEF in Cox’s Bazar, sees COVID-19 prevention as a major focus of humanitarian efforts around the camps right now. But that does not mean that help for survivors of GBV is unavailable for women and girls who need it, especially as UNICEF continues to monitor protection issues affecting Rohingya and Bangladeshi women and girls.

“While group activities have been discontinued at Safe Spaces for Women and Girls [to minimize the spread of coronavirus], critical services do remain available to address individual needs for new and existing GBV survivors” Gertrude says.

With ongoing support from UNICEF, Bangladeshi and Rohingya women can access protection programmes even though the COVID-19 pandemic is particularly challenging for vulnerable communities like the Rohingya. UNICEF and its partners are ensuring that protection programmes like these must remain a priority and carry on come what may.

Single female headed household's participation in food distribution in Rakhine State, Myanmar



In 2018–2019, the World Food Programme (WFP) facilitated a women's empowerment initiative. Around 300 women were hired as labourers in WFP food distributions, all of whom were single heads of households, and almost all were stateless and of Rohingya ethnicity.

In Rakhine State in Myanmar, religious norms and cultural practices are a key barrier for women's participation in the labour force and other public activities. This has significant impacts on single female-headed households (SFHHs), where care and income responsibilities fall on one woman's shoulders.

Rakhine State is home to some 150,000 people displaced by conflict and discrimination, living in 48 camps and camp-like settings. Restrictions on freedom of movement and conflict-related insecurity limit the livelihood options for many internally displaced people and their reliance on humanitarian assistance for survival is indicative of their highly vulnerable situation. Additionally, there are over 450,000 non-displaced stateless Rohingya living in villages without the freedom of movement and other enabling circumstances for regular access to livelihoods. Of these, 470,000 are identified as people in need in the Humanitarian Needs Overview for 2021.

WFP is presently serving some 285,000 people in Rakhine State, the large majority of whom are stateless and are receiving cash-based assistance, or a combination of rice and cash. In 2018, WFP was providing 22,000 households with in-kind food assistance, including rice, pulses, oil and salt. As part of the distributions, commodities must be measured to ensure households of different sizes received their correct entitlements based on the number of family members.

As part of its gender policy implementation, WFP wanted to increase women's participation in Rakhine State. A national Programme Policy Officer (Gender and Protection) from the Country Office went together with the Gender and Protection Focal Point in Sittwe Field Office to consult with leaders, who initially rejected the notion of women's participation in public food distributions on the basis of social, religious and cultural norms which limit women's place to the home and women's work to caring for the household, and dictate that women should not be in public undertaking labour or paid work.

In discussions with camp and religious leaders, WFP explained how SFHH have very limited access to livelihood opportunities to provide for their families. The Country Director engaged directly with the male leaders to support the livelihood proposal and this proved persuasive. An agreement was reached that all labour relating to measuring pulses, oil and salt for distributions would be by SFHH. Men would work separately on rice, and both men and women would receive the same daily rate of pay.

To assure camp and religious leaders, WFP and partner staff invited them to visit and monitor the work women performed at the distribution points, and they expressed satisfaction with it. Monitoring found no violence or discrimination resulted from the women's involvement.

The table below provides a summary of the implementation of women's empowerment initiative.

Location	Percentage of SFHH labourers as compared to all labourers involved in food distribution		
	2017	2018	2019
Central Rakhine	Less than 30%	50 – 65%	35 – 45%
Northern Rakhine	None	None	More than 39%

According to interviews with women participants in the empowerment initiative, they are happy with their income and use it for food, clothing, health and education for their children.

The project served a women's empowerment function, as women labourers are speaking up more and organizing. For example, they created an informal union with representatives to communicate with the WFP focal point on their perspectives and to make suggestions, and they learned well the ration entitlement per person and avenues for complaints and feedback, which they shared with other women. WFP data show the proportion of people accessing the mechanisms for complaints and feedback in 2019 doubled from the previous year, with women raising suggestions for moving distribution points, providing feedback on unsatisfactory attitudes of some individuals working in distribution points, and alerting WFP to interference with some people's food assistance by those holding power. In some instances, labour participation has translated into women achieving membership and leadership positions on WFP food assistance committees.



The women's empowerment initiative was a good step for women who have limited freedom of movement to access livelihood opportunities, and it also created a good pathway for women's engagement and empowerment more broadly. Women who participated in the delivery of humanitarian assistance expanded the channels for feedback and suggestions from household, and WFP benefitted from having more information to improve the delivery of services.

The original case study was contributed by Michelle Sanson (WFP).

Acquiring citizenship opens new opportunities for women from remote areas of Tajikistan



Adolat Tokhirova was born in 2003 in a remote Tajik village in Rudaki district. When she was born, her mother, Sojida, had only a passport from the Soviet Union – a State that had already ceased to exist. According to Tajik law, parents must have valid identification documents in order to register the birth of their children. Because of this, Sojida, a single mother, could not register the birth of her daughter.

Sojida is now 55 years old, and she and Adolat live in a remote area where women hardly participate in public life. They do not vote in elections, do not travel outside the village, and do not receive social benefits. Sojida works in the farm fields to feed herself and her daughter, and the rest of her time is taken up with housework. She has never thought about such things as work experience, vacation time, or receiving benefits.

Over the years, the State lost contact with Adolat because her birth was not registered. Birth registration is important for the protection of a person's rights, freedoms, and interests and it creates conditions for the exercise of one's rights and freedoms. Her family first encountered difficulties due to the lack of citizenship when Adolat graduated from the ninth grade of school. She was not issued a school graduation certificate because she did not have a birth certificate.

Sojida turned to the NGO "Right & Prosperity" for help, and they concluded that Adolat would be able to obtain citizenship only after her mother's status was legalized. Therefore, the organization first provided legal assistance for the documentation of Sojida. Then they turned their attention to Adolat.

For girls like Adolat who have no documentary records of their birth, the law provides a way to establish the fact of birth – by going to court. It is important to mention that people in this situation cannot independently apply to the court, properly prepare an application and collect the necessary evidence without assistance, meaning that access to the court is limited for undocumented people.

Lawyers of Right & Prosperity presented evidence of Adolat's actual existence during the trial and established the fact of her birth. As a result, Adolat received a birth certificate and a Tajik passport.

From 2016 to 2020, Right & Prosperity in collaboration with UNHCR and UNICEF, represented the interests of 140 people in court cases to establish the fact of birth and confirm paternity and maternity in order to gain access to birth registration and to citizenship for those who have reached age 16. Some 55 per cent of them were women and girls.

In Tajikistan, according to UNHCR partners data, more than 70 per cent of stateless people and those at risk of statelessness are women and girls. Between 2014 and 2020, they registered 49,409 stateless people in Tajikistan, of whom 34,539 were girls and women. A total of 44,063 people (31,099 women and girls) successfully resolved their statelessness and received identification documents.

To help the thousands of other people in Tajikistan who find themselves in a situation like Adolat's, changes must be made to ensure that birth registration is mandatory, regardless of the parent's legal status and whether or not the parent has valid identity documents. National legislation on birth registration in Tajikistan does not comply with the provisions of the United Nations Convention on the Rights of the Child, which Tajikistan is a party to.

In 2014, after the launch of the #IBELONG campaign, the Government of Tajikistan created an Interagency Working Group on Statelessness and Citizenship. The group included representatives of UNHCR and Right & Prosperity.

The Group's activities resulted in the new Constitutional Law "On Citizenship of the Republic of Tajikistan" (2015) and the Law "On amnesty related to legalization of persons without citizenship and foreign nationals illegally staying in the territory of the Republic of Tajikistan (2019). The Law on Amnesty became the key to solving complex cases of statelessness in Tajikistan.



The original case study was contributed by Roza Minasyan and Khisrav Kholov (UNHCR).

Rohingya women's leadership and participation in camp-level community representation structures in Cox's Bazar



In 2019, Rohingya women leaders in refugee camps in Cox's Bazar established a collective platform for joint advocacy and action to raise the voices and demands of women and girls that make up 52 per cent of the refugee population. The Rohingya women leaders' umbrella network consists of over 50 elected, self-organized and mobilized Rohingya women leaders and groups representing women and girls from across all 25 camps.

The umbrella network was made possible through support from the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) to strengthen women's leadership through training, mentoring, coaching and linking women to community representation structures and decision-making committees in coordination with other members of the intersectoral Gender in Humanitarian Action Working Group (GiHA WG), co-chaired by UN Women and UNHCR.

In 2019, UN Women led the roll-out of women's leadership training for over 1,000 Rohingya women across all camps through 30 United Nations agencies, international NGOs and member organizations of GiHA WG. In advance, over 100 trainers from GiHA WG member organizations were trained as trainers by UN Women on women's empowerment, participation and leadership based on a module developed in consultation with Rohingya women and men. One of the key demands of the umbrella network is to increase women's participation in camp-level community representation structures.

Following the training in 2019, six Rohingya women stood as block-leader candidates for pilot elections in two of the camps and were successfully elected by their community members.

To gain a more complete understanding of perspectives of women and girls, the GiHA WG Women's Leadership Task Force, led by UN Women, worked with the Inter Sector Coordination Group (ISCG) Site Management Community Representation Group to conduct community consultations. In all, 800 Rohingya women and adolescent girls, including women volunteers and elected women, across 16 camps were consulted on their preferences, demands and issues in community leadership and representation.



The consultation findings helped UN Women to advocate for women and girls in Cox's Bazar. Specifically, UN Women provided inputs to the Relief and Refugee Repatriation Commissioner, to ensure that the roll-out of the Guidelines on camp elections and Risk Mitigation Strategy were responsive to the challenges of women's participation and leadership in community management and decision-making. Once camp elections are approved, the Guidelines will facilitate women's participation in elections as candidates and voters across the remaining camps.

Reference: <https://www.humanitarianresponse.info/ru/operations/bangladesh/gender-humanitarian-action-working-group>

NGO Statement on Asia and the Pacific

Asia Pacific
Refugee Rights
Network



The Asia Pacific Refugee Rights Network (APRRN) is an open and growing network consisting of more than 450 NGOs and individuals from 38 countries committed to advancing the rights of refugees in the Asia-Pacific region. Through its NGO Statement on Asia and the Pacific,¹¹ APRRN advocated at the eightieth meeting of the UNHCR Standing Committee on 23–25 March 2021 for UNHCR and States in the region to address the severe ongoing rights violations affecting refugees, especially women and girls.

The pandemic exacerbates the lack of protection for forcibly displaced and stateless women and girls, further exposing gaps in national legal protection and human rights frameworks in the region. While some non-signatory States host significant numbers of displaced persons and address urgent humanitarian needs, severe rights violations persist, including arbitrary detention, sexual and gender-based violence (SGBV), refoulement, lack of access to justice, education, lawful employment, and, critically, healthcare. Furthermore, the current pandemic does not discriminate based on legal status. To effectively protect all persons within territories and rebuild economies, States must include displaced and stateless populations in their COVID-19 response plans.

Refugee women and girls are often the first responders to communities' needs, but they also continue to suffer from serious human rights abuses, including SGBV and lack of access to justice, preventive measures and adequate legal representation. Rates of SGBV spiked in 2020, especially domestic and intimate partner violence, and forced and child marriage cases. Women and girls are at heightened risks of sexual exploitation and trafficking. States and UNHCR must include refugee women and girls in rapid risk and impact assessments and meaningfully consult them. Implementing a gender-sensitive response to the pandemic and the recovery phase is essential. Forcibly displaced lesbian, gay, bisexual, transgender, intersex, queer and other (LGBTIQ+) people also experience high rates of SGBV. States must address the multiple and intersecting forms of discrimination, in partnership with organizations led by LGBTIQ+ refugees, to secure their immediate safety, including through resettlement. Issues highlighted include the following:

¹¹ https://www.icvanetwork.org/system/files/versions/Asia_Pacific_SCom_March23_Joint_NGO_Statement_ORAL%20.pdf



- The urgent need for a regional response for the severe ongoing rights violations affecting refugees, especially women and girls.
- The need to include and ensure refugees' meaningful participation in decision-making with relevant access, resources, and support.
- The deteriorating conditions within Myanmar and effects on the region.
- The deterioration of the humanitarian situation in Afghanistan and the largest number of undocumented returnees to the country.
- The alarming security situation in the refugee camps in Cox's Bazar: construction of barbed-wire fences, armed groups, COVID-19 restrictions.
- The voluntariness of relocations to Bhashan Char and the quality of protection and services.
- The use of detention as a form of immigration control despite COVID-19.
- Statelessness exacerbates the vulnerabilities of individuals.

Statelessness is prevalent throughout the region, with a growing number of vulnerable women and girls denied citizenship and basic rights. Statelessness contributes to barriers to obtaining documentation, denial of access to health, increased poverty, and the risk of detention. COVID-19 exacerbates these challenges and xenophobia is rising as non-citizen populations are targeted as public health risks. APRRN urges States to address statelessness across the region.

Reference: <https://www.icvanetwork.org/>

Funding for this publication was provided by the Government of Japan.



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the People of Japan

